

PATENT COOPERATION TREATY

TRANSLATION

From the
INTERNATIONAL SEARCHING AUTHORITY

PCT

WRITTEN OPINION OF THE
INTERNATIONAL SEARCHING AUTHORITY

(PCT Rule 43bis.1)

To:

Date of mailing
(day/month/year)

Applicant's or agent's file reference

FP-0563-PCT

FOR FURTHER ACTION

See paragraph 2 below

International application No.

PCT/JP2006/304764

International filing date (day/month/year)

10.03.2006

Priority date (day/month/year)

10.03.2005

International Patent Classification (IPC) or both national classification and IPC

Applicant

Fuji Photo Film Co., LTD.

1. This opinion contains indications relating to the following items:

- ☒ Box No. I Basis of the opinion
- ☐ Box No. II Priority
- ☐ Box No. III Non-establishment of opinion with regard to novelty, inventive step and industrial applicability
- ☐ Box No. IV Lack of unity of invention
- ☒ Box No. V Reasoned statement under Rule 43bis.1(a)(i) with regard to novelty, inventive step or industrial applicability; citations and explanations supporting such statement
- ☐ Box No. VI Certain documents cited
- ☐ Box No. VII Certain defects in the international application
- ☐ Box No. VIII Certain observations on the international application

2. **FURTHER ACTION**

If a demand for international preliminary examination is made, this opinion will be considered to be a written opinion of the International Preliminary Examining Authority ("IPEA") except that this does not apply where the applicant chooses an Authority other than this one to be the IPEA and the chosen IPEA has notified the International Bureau under Rule 66.1bis(b) that written opinions of this International Searching Authority will not be so considered.

If this opinion is, as provided above, considered to be a written opinion of the IPEA, the applicant is invited to submit to the IPEA a written reply together, where appropriate, with amendments, before the expiration of 3 months from the date of mailing of Form PCT/ISA/220 or before the expiration of 22 months from the priority date, whichever expires later.

For further options, see Form PCT/ISA/220.

3. For further details, see notes to Form PCT/ISA/220.

Name and mailing address of the ISA/JP

Date of completion of this opinion

Authorized officer

Facsimile No.

Telephone No.

WRITTEN OPINION OF THE
INTERNATIONAL SEARCHING AUTHORITY

International application No.

PCT/JP2006/304764

Box No. I

Basis of this opinion

1. With regard to the language, this opinion has been established on the basis of:



the international application in the language in which it was filed



the translation of the international application into _____, which is the language of a translation furnished for the purposes of international search (Rule 12.3(a) and 23.1(b)).

2. With regard to any nucleotide and/or amino acid sequence disclosed in the international application and necessary to the claimed invention, this opinion has been established on the basis of:

a. type of material



a sequence listing



table(s) related to the sequence listing

b. format of material



on paper



in electronic form

c. time of filing/furnishing



contained in the international application as filed



filed together with the international application in electronic form



furnished subsequently to this Authority for the purposes of search

3. ☐ In addition, in the case that more than one version or copy of a sequence listing and/or table(s) relating thereto has been filed or furnished, the required statements that the information in the subsequent or additional copies is identical to that in the application as filed or does not go beyond the application as filed, as appropriate, were furnished.

4. Additional comments:

**WRITTEN OPINION OF THE
INTERNATIONAL SEARCHING AUTHORITY**

International application No.

PCT/JP2006/304764

Box No. V Reasoned statement under Rule 43bis.1(a)(i) with regard to novelty, inventive step or industrial applicability;
citations and explanations supporting such statement

1. Statement

Novelty (N)	Claims	<u>1-41</u>	YES
	Claims	_____	NO
Inventive step (IS)	Claims	<u>1-41</u>	YES
	Claims	_____	NO
Industrial applicability (IA)	Claims	<u>1-41</u>	YES
	Claims	_____	NO

2. Citations and explanations:

Document 1: JP, 10-257518, A (Fuji Photo Film Co., Ltd.), 25 September, 1998 (25.09.98), paragraphs [0062]-[0071] (Family: none)
 Document 2: JP, 2000-224410, A (Hitachi Software Engineering Co., Ltd.), 11 August, 2000 (11.08.00), Fig. 8, & US, 6674485, B2
 Document 3: JP, 8-65705, A (Imagica Corp.), 12 March, 1996 (12.03.96), Fig. 8, & US, 5604372, A
 Document 4: JP, 2003-58873, A (Olympus Optical Co., Ltd.), 28 February, 2003 (28.02.03), Figs. 5 and 16, & US, 2003-0035061, A1
 Document 5: JP, 2004-282167, A (Nippon Telegraph and Telephone Corp.), 7 October, 2004 (07.10.04), Fig. 1 (Family: none)
 Document 6: JP, 2000-030040, A (Canon Inc.), 28 January, 2000 (28.01.00), Figs. 5 and 6, & US, 6404901, B1, & EP, 933727, A2

Claims 1-41

Documents 1-6 cited in the ISR, which show the general state of the art in the relevant field, do not mention or suggest that multiple images are taken under multiple imaging conditions, and the object region and the background region in those images are distinguished from each other, as described in the above claims.

INTERNATIONAL SEARCH REPORT

International application No.

PCT/JP2006/304764

A. CLASSIFICATION OF SUBJECT MATTER

H04N5/272(2006.01), **G06T3/00**(2006.01), **H04N5/238**(2006.01), **H04N9/74**
(2006.01)

According to International Patent Classification (IPC) or to both national classification and IPC

B. FIELDS SEARCHED

Minimum documentation searched (classification system followed by classification symbols)

H04N5/272(2006.01), **G06T3/00**(2006.01), **H04N5/238**(2006.01), **H04N9/74**
(2006.01)

Documentation searched other than minimum documentation to the extent that such documents are included in the fields searched

Jitsuyo Shinan Koho	1922-1996	Jitsuyo Shinan Toroku Koho	1996-2006
Kokai Jitsuyo Shinan Koho	1971-2006	Toroku Jitsuyo Shinan Koho	1994-2006

Electronic data base consulted during the international search (name of data base and, where practicable, search terms used)

C. DOCUMENTS CONSIDERED TO BE RELEVANT

Category*	Citation of document, with indication, where appropriate, of the relevant passages	Relevant to claim No.
A	JP 10-257518 A (Fuji Photo Film Co., Ltd.), 25 September, 1998 (25.09.98), Par. Nos. [0062] to [0071] (Family: none)	1-41
A	JP 2000-224410 A (Hitachi Software Engineering Co., Ltd.), 11 August, 2000 (11.08.00), Fig. 8 & US 6674485 B2	1-41
A	JP 8-065705 A (Imagica Corp.), 12 March, 1996 (12.03.96), Fig. 8 & US 5604372 A	1-41

☒ Further documents are listed in the continuation of Box C.

☐ See patent family annex.

* Special categories of cited documents:

"A" document defining the general state of the art which is not considered to be of particular relevance

"E" earlier application or patent but published on or after the international filing date

"L" document which may throw doubts on priority claim(s) or which is cited to establish the publication date of another citation or other special reason (as specified)

"O" document referring to an oral disclosure, use, exhibition or other means

"P" document published prior to the international filing date but later than the priority date claimed

"T" later document published after the international filing date or priority date and not in conflict with the application but cited to understand the principle or theory underlying the invention

"X" document of particular relevance; the claimed invention cannot be considered novel or cannot be considered to involve an inventive step when the document is taken alone

"Y" document of particular relevance; the claimed invention cannot be considered to involve an inventive step when the document is combined with one or more other such documents, such combination being obvious to a person skilled in the art

"&" document member of the same patent family

Date of the actual completion of the international search
02 June, 2006 (02.06.06)

Date of mailing of the international search report
13 June, 2006 (13.06.06)

Name and mailing address of the ISA/
Japanese Patent Office

Authorized officer

Facsimile No.

Telephone No.

INTERNATIONAL SEARCH REPORT

International application No.

PCT/JP2006/304764

C (Continuation). DOCUMENTS CONSIDERED TO BE RELEVANT

Category*	Citation of document, with indication, where appropriate, of the relevant passages	Relevant to claim No.
A	JP 2003-058873 A (Olympus Optical Co., Ltd.), 28 February, 2003 (28.02.03), Figs. 5, 16 & US 2003/0035061 A1	1-41
A	JP 2004-282167 A (Nippon Telegraph And Telephone Corp.), 07 October, 2004 (07.10.04), Fig. 1 (Family: none)	1-41
A	JP 2000-030040 A (Canon Inc.), 28 January, 2000 (28.01.00), Figs. 5, 6 & US 6404901 B1 & EP 933727 A2	1-41

A. 発明の属する分野の分類 (国際特許分類 (IPC))

Int.Cl. H04N5/272 (2006.01), G06T3/00 (2006.01), H04N5/238 (2006.01), H04N9/74 (2006.01)

B. 調査を行った分野

調査を行った最小限資料 (国際特許分類 (IPC))

Int.Cl. H04N5/272 (2006.01), G06T3/00 (2006.01), H04N5/238 (2006.01), H04N9/74 (2006.01)

最小限資料以外の資料で調査を行った分野に含まれるもの

日本国実用新案公報	1922-1996年
日本国公開実用新案公報	1971-2006年
日本国実用新案登録公報	1996-2006年
日本国登録実用新案公報	1994-2006年

国際調査で使用した電子データベース (データベースの名称、調査に使用した用語)

C. 関連すると認められる文献

引用文献の カテゴリー*	引用文献名 及び一部の箇所が関連するときは、その関連する箇所の表示	関連する 請求の範囲の番号
A	JP 10-257518 A (富士写真フイルム株式会社), 1998.09.25, 段落0062-段落0071 (ファミリーなし)	1-41
A	JP 2000-224410 A (日立ソフトウェアエンジニアリング株式会社), 2000.08.11, 第8図 & US 6674485 B2	1-41

☒ C欄の続きにも文献が列挙されている。☐ パテントファミリーに関する別紙を参照。

* 引用文献のカテゴリー

「A」 特に関連のある文献ではなく、一般的技術水準を示すもの
「E」 国際出願日前の出願または特許であるが、国際出願日以後に公表されたもの
「L」 優先権主張に疑義を提起する文献又は他の文献の発行日若しくは他の特別な理由を確立するために引用する文献 (理由を付す)
「O」 口頭による開示、使用、展示等に言及する文献
「P」 国際出願日前で、かつ優先権の主張の基礎となる出願

の日の後に公表された文献

「T」 国際出願日又は優先日後に公表された文献であって出願と矛盾するものではなく、発明の原理又は理論の理解のために引用するもの
「X」 特に関連のある文献であって、当該文献のみで発明の新規性又は進歩性がないと考えられるもの
「Y」 特に関連のある文献であって、当該文献と他の1以上の文献との、当業者にとって自明である組合せによって進歩性がないと考えられるもの
「&」 同一パテントファミリー文献

国際調査を完了した日

02.06.2006

国際調査報告の発送日

13.06.2006

国際調査機関の名称及びあて先

日本国特許庁 (ISA/J P)
郵便番号 100-8915
東京都千代田区霞が関三丁目4番3号

特許庁審査官 (権限のある職員)

富田 高史

電話番号 03-3581-1101 内線 3581

5 P 2952

C (続き) . 関連すると認められる文献		
引用文献の カテゴリー*	引用文献名 及び一部の箇所が関連するときは、その関連する箇所の表示	関連する 請求の範囲の番号
A	JP 8-065705 A (株式会社イマジカ), 1996. 03. 12, 第 8 図 & US 5604372 A	1-41
A	JP 2003-058873 A (オリンパス光学工業株式会社), 2003. 02. 28, 第 5 図, 第 16 図 & US 2003/0035061 A1	1-41
A	JP 2004-282167 A (日本電信電話株式会社), 2004. 10. 07, 第 1 図 (ファミリーなし)	1-41
A	JP 2000-030040 A (キヤノン株式会社), 2000. 01. 28, 第 5 図, 第 6 図 & US 6404901 B1 & EP 933727 A2	1-41